FOR MYSORE STATE

Land

Govt. Pr.-27—6,000 31 10 50.

Rev (1952) Department.

MS SERIES.

G.O. NO. 3818

Dated 4.9.52

[Despatch Abstract.]

Prohibition — Sandur — Extention of prohibition from 1-4-1950 payment of compensation to the Ex-distiller Sandur — Report submitted

REVENUE DEPARTMENT.
Collector's Office, Bellary.
Dated. 3-11-1951

Rev 78179A/51-1. Rc. No.8717.A./51.S.1

9/11/51

From

Sri. G.Rami Reddi, B.A.,
Collector of Bellary.

123461

S2

To

The Secretary to Government,
(Revenue Department),
Fort St. George, Madras.

Sir,

Sub;- Prohibition - Sandur - Extension of prohibition from 1-4-50 - payment of compensation to the Ex-distiller Sandur - Report submitted -

Ref;- i. G.O. Ms. No.594 (Rev.Dept) dated 3-3-50
ii. G.O. Ms. No.3093 (Dev.Dept) dated 8-8-50

The erstwhile Sandur Government had entered into an agreement (copy enclosed for ready reference) with Sri.M.L. Narayanaswamy for the supply of country spirits to the state for a period of 5 years with effect from 19-10-1946. The contract was to expire by 18-10-1951.but the distillery was closed temporarily for a period of 5 months from 1-8-48 to 31-12-48 for security reasons and permanently with effect from 1-4-50, -Consequent on the introduction of prohibition in Sandur. The Government in their order first cited, were pleased to sanction the payment of a compensation of Rs.1875/ (at the rate of Rs.375/- for 500 Gls. for month from 1-8-48 to 31-12-48) and Rs.6,968/-(from 1-4-50 to 18-10-51) to the ex-distiller according to the policy enunciated in their public Department Secret D.O. No. S/4382-7/48 dated 30-11-1948 Pursuant to this order, the said sum of Rs.8,843/-(Rs.Eight thousand eight hundred and forty three only) was paid to Sri. T. Narayanaswamy, agent of the ex-distiller(late Sri. M.L. Narayanaswamy) in Vr. No.79 dated 12-6-50 of Sandur Sub-Treasury.

2. Sri. M.L. Narayanaswamy ex-distiller died on 21-8-1950. His wife Srimathi Moola Lakshmamma had put in a petition claiming a compensation of Rs.46,250/- as shown below.

A

Total quantity guaranteed for supply from 1-4-50 to 17-10-51(according to the agreement) at 500 Gls. per month- 500 x 18½ - 9250 Gls.

Amount of a compensation at a flat rate of Rs.5/- per Gallon as stipulated in Cl.12 of the agreement. 9250 x 5 - Rs.46.250/-

3. Clause 6 of the agreement would become operative only when the arrack was manufactured and the stocks remain with the distiller in the event of failure by the state to purchas the arrack but there were no stocks at all with the distiller as the distillery was closed. No penalty clause was included in the agreement for closing the distillery by the state or on behalf of the state due to introduction of prohibition or other causes. The distiller does not seem to have any claim for compensation under the terms of clause 6 read with clause 12 of the agreement for closing the distillery. As a measure of equity the Government were pleased to award compensation to the extent of Re.0-12-0 per gallon, which represents the difference between the stipulated rate of Rs.5/- and the cost of production of Rs.4-4-0 per gallon.

4. I request that orders may kindly be passed on the

2

petitioner's claim for Rs.46.250/-. A copy of her petition dated 16-5-51 is enclosed

pp 6-7 of 8 (M)

5. Regarding the petitioner's claim for the payment of compensation towards the stocks on hand on 1-4-50, I invite attention to G.O. Ms. No.3093 (Dev.Dept) dated 8-8-1950 wherein the Government were pleased to sanction the payment of Rs.695/- to the former distiller at Sandur calculated at Rs.5/- per gallon for the 139 gallons of arrack, not purchase by the Government due to the introduction of prohibition in Sandur from 1-4-50. This amount has not been paid to her pending production of the succession certificate by the petitioner is under correspondence.

K Krishnaswamy
7.11.51

K.R.5/11 DM

For Collector.

Memorandum of Agreement.

This Memorandum of Agreement made this nineteenth day of October 1946 between the Government of Sandur State(Herein after called the State) on the one part and Moola Lakshmi Naraynaswami, son of Moola Venkatarangiah, Hindu, residing at Tadapatri Anantapur District refer to herein as the supplier of the other part.

Whereas the supplier has undertaken to establish at Sandur a distillery for the manufacture of country spirits and supply the same to the state, it is hereby agreed to as follows;-

1. The state has not under immediate contemplation the introduction of prohibition in the state and will not also introduce such prohibition at their own initiative during the period of these presents

2. The Supplier shall within a period of one month from the date of execution of this agreement, establish a distillery completing the construction of necessary buildings and erection of the plant.

3. The state shall issue a license for the establishment of a distillery in the state according to the rules in force in the state governing issue of such licenses. The supplier shall be bound by such rules and amendments or alterations made thereto from time to time.

4. The state agrees to purchase from the distillery of the supplier not less than 500 gallons of arrack of 35 U.P. per month.

5. This contract will be in force for a period of 5 years from the date of this agreement.

6. If for any reason the state does not purchase the full quantity of 500 gallons of arrack of 35 U.P. in any month during the period of contract, the state shall compensate the supplier to the extent of the cost of the quantity by which it falls short of 500 gallons owing to such default on the part of the state.

7. The state will afford all reasonable facilities if needed to the supplier for getting the raw materials such as jaggery, ammonia, sulphuric acid and firewood for the purposes of distillation from outside the state.

8. The state hereby agrees to pay the cost of liquor to the credit of the account of the supplier with the Central Bank of India Ltd., at Tadapatri within a week from the date on which the liquor is purchased and accounted for and the bill sent to the State authorities.

9. A suitable plot for the construction of the distillery and its allied buildings will be given on a nominal rent of Rs.10/- per annum per acre, if such land as is selected by the supplier is not at the time in actual possession of the Government. It is also agreed that the electric line posts shall be extended to the distillery building at the cost of the state.

10. The State shall see that due justice, safety and cordial relationship to the supplier's legal representatives are extended during the tenure of their office in the state.

10. The state shall supply casks for filling the liquor at its own cost at the distillery.

12. The rate at which the country spirit is supplied by the supplier to the state shall be Rs.5/-(Rs.five) per gallon of arrack of 35 U.P and the delivery shall be at the distillery, provided that, if in in the event of the state being in a position to purchase arrack in excess of 1500 gallons a month it shall be open for both the parties to reconsider the rate.

4

13. The construction of necessary buildings and the erection plant for the proper working of the distillery shall be carried at the cost of the supplier.

14.The supplier shall supply every month 500 gallons of arrack of 35 U.P. or more as and when requisition under the same conditions set out above. In case of default on the part of the supplier to supply the minimum quantity of 500 gallons agreed upon he shall be liable to compensate the state in respect of the deficiency at the rate of Rs.15/-

15. For the fulfilment of this agreement so far as the starting of the distillery is concerned, immediately after the execution of this agreement, the supplier shall deposit with the state a sum of Rs.500/- (Rupees five hundred only) as earnest money which shall be returned to him immediately after the starting of the distillery as per terms of this agreement and that such amount not exceeding the deposit shall be at the disposal of the Government for the failure on the part of the supplier, to start the distillery as above but not on account of the circumstances that are beyond his control.

16. The supplier shall pay to the Government the local rates and taxes as per laaws in force in state as on the date of signing this agreement Viz.

1. Income-tax as per Sandur Income-tax(amendment) Act 1942(Act VIII of 1942)
2. Mohtarfa tax as per rules issued under Notification No.17 dated 12th November 1939 of the Department of Law and order as revised by G.O. Notification No.KA.103(HZ)-43 dated 1st. April 1943

3. Distillery licence fee of Rs.50/- per annum.

17. At the close of the period of the contract, provided that there are no state dues existing at that time against the supplier, he will be at liverty to remove all materials, machinerv etc. which are his property and not otherwise.

18. If however during the period of the contract or at the end thereof the supplier desires to sell or transfer his interest in the business or the buildings or other properties thereto the state shall have the prior right of purchase.

19.All facilities will be granted to Government excise officers to inspect the distillery at all times.

20. The supplier shall make proper arrangement ffor the necessary watch and ward at the distillery at his own cost.

In witness whereof the parties thereto have set their hands and seals this day and year first above written.

Signed sealed and delivered by the Chief Assistant to the Mantri Mandal on behalf of the Sandur State as authorised by the Government in the presence of

Sd. T.S.K.Krishnaswami,
Chief Assistant to Mantri Mandal.

1. Sd.Kasimalli Sab(In Kanarese)
2.Sd. Muppadasettisubbanna (in Kanarese.

Signed, sealed and delivered by the said M.L.Narayanaswamy in the presence of -

1. Sd. K.V.Narasimhachar
2. Sd. M.S.Honwad.

Sd. M.L.Narayanaswamy,

/ True copy/

Copy of petition dated 16-5-51 of Nookala Lakshmamma wife of late Sri. M.L.Narayanaswamy, Tadapatri. to the District Collector. Bellary.

Sub;- Abkari- Arrack - Distillery contract - Sandur state- compensation - prayed for -

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The compensation due to my husband, late M.L.Narayanaswamy, regarding the supply of arrack in Sandur state prior to the introduction of prohibition has not yet been paid to me. The amount alleged to have been paid to my husband through one, T. Narayanaswamy has not been received by me. The state has guaranteed to my husband a regular supply of 500 gallons per month and to pay compensatio to the unexpired period of the contract at the rate of Rs.5/- per gallon. The contract was for the period of five years i.e. 18-10-46 to 17-10-51. The Distillery was closed on 1-4-50 and hence compensation has to be paid for one year six months and sixteen days. The total quantity of arrack guaranteed for supply was 9250 gallons (500 x 18½). Therefore the total amount of compensation due to my late husband by the Government is Rs.46250/-(ie. 9250 x 5) towards the compensation for the unexpired period of the agreement in addition to the compensation payable towards the stocks on hand on 1-4-50 the closing date of the distrillery in Sandur.

Under the above circumstances I pray that you may be kind enough to reconsider the entire matter and grant the compensation as prayed for at an early date.

/ True copy/

b

Enst no. 123461 5/37-1 dt. 20.11.13

- Reference to the Govt. of Kerala for Legal remarks.

7

Rc.No. 8717A/51 S.1

Collector's office, Bellary
Dated 29.12.51.

From

Sri. G.Rami Reddi B.A.,
Collector, Bellary.

To

142083

The Secretary to Government,
(Development Department),
Fort Saint George, Madras.

Sir,

Sub:- Prohibition - Sandur - Extension of Prohibition from 1-4-50 - payment of Rs. 695/- to the Ex. distiller for the stock of 139 gallons not purchased by the Government 'fresh sanction requested.

Ref:- G.O.Ms.No. 3093 (Dev) D/ 8-8-50

In the G.O. cited, the Government were pleased to accorded sanction for the payment of a compensation of Rs. 695/- to the former distiller at Sandur (late Sri. M.L. Narayanaswamy) calculated at Rs. 5/- per gallon for the 139 gallons of arrack not purchased by the Government due to the introductio of prohibition in Sandur from the 1st April 1950. The payment of the said amount was authorised by the Accountant General Madras in his letter T.3/Ex.11 658 dated 5-10-50, In this connection I submit that as the ex.distiller late Sri. M.L. Narayanaswami died on 21.8.50, the amount has not been drawn and paid to his legal heirs

2. Srimathi Moola Lakshmamma wife of the ex.distiller late Sri M.L. Narayanaswamy had put in a petition claiming this amount. A copy of her petition dated 5.7.51 is enclosed.

3. Late Sri. M.L. Narayanaswamy has no major sons. I therefore submit that the sanctioned amount of Rs. 695/- (Rs. six hundred and ninety five only) may kindly be ordered to be paid to his widow Srimathi Moola Lakshmamma, the petitioner.

4. As the claim is more than an year old from the date of the sanction by the Government the Accountant General Madras was requested to preaudit the Misc.Bill for Rs. 695/- in question, but he has written to say that the sanction accorded by Government in G.O.Ms.No. 3093 (Dev) D/ 8-8-50 has lapsed and that a fresh sanction under Art 50 of Madras Financial code Vol. (1), is required for payment of the compensation. He has also stated that as the ex.distiller died on 21.8.50, orders of Government may be obtained regarding the party to whom the payment may be made. A copy of his letter T.3 Ex. 11/458 dated 11.12.51 is enclosed.

5. In the above circumstances, I request that the Government may be pleased to renew the sanction for the payment of the compensation of Rs. 695/ (Rupees Six hundred and ninety five only) in question to Srimathi Moola Lakshmamma wife of the deceased Sri. M.L. Narayanaswamy ex. distiller at Sandur.

K Krishnaswamy.
For Collector 29/12

A.K. 29/12.

29.12

9

Copy of the letter No. Nil dated 5th July 1951.

Sub:- Government Bill for Rs. 695/-

Ref:- Government order No. M.S. 3073 dated 8-8-50 and
C.R.L.Dis No. 14392 ABK - 150-X.A.2 dated 14-8-50
from the Board of Revenue, Madras to the Collector,Bellary.

--

I learn that a bill dated 1-4-50 for a sum of Rs. 695/- (Rupees Six hundred and ninety five) for payment at the sub Treasury , Sandur, has been sent in the name of Mr. T. Narayanaswamy, who was the ex.distillery Agent at Sandur. This bill amount of Rs. 695/- is said to be the cost of 139.1 gallons of liquor destroyed on 1-4-50 consequent on the introduction of Prohibition from that date in the Sandur State.

My husband Sri. Moola Lakshmi Narayanaswamy, who was the proprietor of the Sandur Arrack Distillery, having died on 21.8.50, Mr. T. Narayanaswami the Ex. distillery agent was not authorised to encash the bill. The latter has now requested me, in his letter dated 25.6.51, as guardian of my minor sons to authorise him to encash the bill at Sandur sub treasury. As Mr. T. Narayanaswami is not in our service now, I request you to be kind enough to issue orders to the Tahsildar at Sandur for the payment of the said bill amount of Rs. 695/- to me by money order or by issuing a Reserve Bank cheque in my favour.

Awaiting your early orders of compliance with my request.

/true copy/ K. Krishnaswamy

2/3 For Collector. 29/11

A.K. 29/12.

29/11

Copy of the letter No. T.3.Ex.11/458 dated ~~nil~~ 11-12-57.

Sub:- Prohibition - Sandur - Extension of Prohibition from 1-4-50 payment of compensation to the Ex.Distiller

Ref:- Your letter No.Rc. 8717 A/51-S.1 dated 26.11.51.

Please refer to Article 50 of Madras Financial Code Volume 1 according to which a sanction for a fresh charge accorded by Government lapses if it has not been acted on for a year unless it is specifically renewed. Therefore, sanction accorded by Government in G.O. No. 3093 Dev. dated 8-8-50 has lapsed and a freshsanction is required for payment of the compensation. Orders of Government may therefore please be obtained on receipt of which a fresh authorisation will be issued from this office.

2. As the ex-distiller died on 21.8.50 orders of Government may be obtained regarding the party to whom payment may be made.

3. The Miscellaneous Bill for Rs. 695/- stated to have been forwarded along with your letter, for preaudit has not been received. The Bill,however, need not be sent to this office in view of para 1 above

/true copy/

A.K. 29/12.

For Collector

12

Endt no. 123461 S/51-2 dt 8.1.52 Dev(S) Approved

Reference to the Bd of Rev (Ed) for remarks in continuation of this Dept's Endt no. 123461 S/51-1 dt 20.11.51.

Approved

CN

Please see further correspondence from the Govt of Bengal at pp 7-11 above. This previous letter was forwarded to the Bd for remarks. This may also be referred to the Bd. The draft Endt below is for approval

S/1/52

52

Rc.No. 8717/A/51 S. . dated 2 -12-51. Collector's office, Bellary.

89188 A2

From

Sri . Rami Reddi B.A.,
Collector, Bellary.

To

The Secretary to Government
(Revenue Department),
Fort St. George, Madras.

1258

FIRST ASST. SECRETARY TO G. 3 JAN 1952 DEVELOPMENT DEPARTMENT

Sub: Prohibition - Sandur - Extension of prohibition from 1-4-50- Payment of compensation to the ex-distiller - Sandur - Report - submitted - Orders - Requested.

Ref: This Office Rc.No. 8717 A/51.3.1. dated 3-11-51.

I invite attention to this office reference cited and request the favour of early orders in the matter.

K. Krishna Swamy
for Collector. 27/12

v.r.c.2712

15

Rc.No. 8717 A/51 S.1

Collector's office, Bellary
dated 5.2.52.

12346/

13943
Sr

From

Sri. G. Rami Reddi B.A.,
Collector, Bellary.

To

The Secretary to Government,
(Development Department) Fort Saint.,
George, M a d r a s.

Sir,

Sub:- Prohibition - Sandur - Extension of Prohibition from 1-4-50 payment of Rs. 695/- to the Ex. distiller for the stock of 139 gallons not purchased bythe Government fresh sanction requested.

Pgalone Ref:- This office Rc.No. 8717 A/51 S.1 dated 29.12.51.

I invite attention to this office reference cited and request the favour of early orders in the matter.

K Krishnaswamy
6.2.52

A.K. 6/2.

For Collector.

2/6/52

Rc. No. 8717/51 S.1

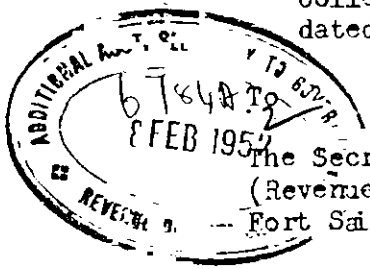
Collector's office, Bellary
dated 5.2.52.

17

14848

From

Sri. G.Rami Reddi B.A.,
Collector, Bellary.



The Secretary to Government,
(Revenue Department).,
Fort Saint George, Madras.

Sir,

Sub:- Prohibition - Sandur - Extension of Prohibition from 1-4-50 payment of compensation to the Ex.distiller Sandur report submitted orders requested.

Ref:-This office Rc.No. 8717 A/51 S.1 dated 3.11.51 and reminder d/ 26.12.51.

I invite attention to this office reference cited and request the favour of early orders in the matter.

For Collector.

A.K. 6/2.

Rev Sec 6784A/52-1
8/2/52

Memo no. 123461 S/51-3 dt 16.2.52 — Dev (S) Pkm

Sub: Prohn. Scheduled — Extension of Prohn. Payment of Compensation to the Ex-distillers. Scheduled — Tamarind Collection.

Ref: Govt. Endt no. 123461 S/51-1 dt 20.11.51 and pp 6 and 12 above. 8.1.52

The attention of the Bd. of Rev (Sr) is invited to the Govt. Endts. cited and it is requested to expedite its reply in the matter before 29.2.52. ~~the Collr of Bellary forwards early reports.~~

16/2/52

To the Bd. of Rev (S)
Copy to the Collr. of Bellary

pp 6 and 12 above.

O.N.

Please see the reference from the Collr. of Bellary at pp 15-18 above. As the question was sent to the Bd. its reply is awaited. The Bd may be reminded.

The draft memo above is for approval

16/2/52

Collector's Office, Bellary
Rc.No.8717 A/51 S1. Dated: 21.3.52.

From

Sri G. Rami Reddi, B.A.,
Collector, Bellary.

To

The Secretary to Government
(Development Department)
Fort St. George, Madras.

33731
52

Sir,

Sub:- Prohibition - Sandur - Extension of Prohibition from 1.4.50 - Payment of Rs.695/- to the ex-distiller for the stock of 139 gallons not purchased by the Government - Fresh sanction requested.

P 7 above
P 18 above

Ref:i) This office Rc.No.8717 A/51 S1 dated 29.12.51.
ii) Govt. (Dev.Dept.) Memo.No.123461 S/51-3 dated 14.2.52.

I invite attention to the references cited and request early orders in the matter.

A Mallappa 24 3 52

For Collector.

Phr.24.3.

ah 24/3.

Rc.No.8717 A/51 S1

Collector's Office, Bellary
Dated: 21.3.52.

24

MAR 1 17340 A

From

Sri G. Rami Reddi, B.A.,
Collector, Bellary.

To

The Secretary to Government,
(Revenue Department)
Fort St. George, Madras.

34655

Sir,

Sub:- Prohibition - Sandur - Extension of Prohibition from 1.4.50 - Payment of compensation to the ex-distiller Sandur - report submitted - Orders -- requested.

Ref: This office Rc.No.8717 A/51-S1 dated 3.11.51. and reminders dated 26.12.51 and 5.2.52.

I invite attention to this office reference cited and request early orders in the matter.

For Collector.

Pbr.24.3.

Rev. W.O 17340A/51
25/3/52

23
Dev (5)

Pl vorip
25/29/3

D.O. no. 123461-5/51-4 dt 29.3.52

( )

Sub: Prohibition — Sandur — Extension from 1-4-50 — Payment of Rs 695/- to the Ex-Dietitian — Fresh sanction.

P 6 CF
P 12 CF
P 18 CF

Ref: Govt. Endt. 123461-5/51-1 dt 20.11.51
Govt Endt no. 123461-5/51-2 dt 8.1.52
Govt Memo no. 123461-5/51-3 dt 14.2.52

I am to invite your attention to the references cited and to request you to see that the Bd's reply reaches Govt at an early date.

25/3/52

28.3.52

To
Sri
V. Krishnamurti,
Asst Secy.
Bd. of Rev (Sx)
Trichy.

25

C.F. 304.

OFFICE OF THE

Date 19

Hours Minutes

TELEPHONIC MESSAGE.

From	To
A.S. Bd. of Rev (Ex) Madras	A.S. D&W Deptt.

T.M. No. 44278 A.D.J/51.XA2 dy 3-4-52

Sub:- Prohibition Sandur Estate merged into Bellary Dt. Compensation to ex-distillers report

Ref:- D.O. No. 123461 S/51-4 dy 29-3-52.

Please furnish the Copy of the following references as the Concerned file in the Board is not

(Please write on both sides)

14,184 Pks.—8-11-49.

(P.T.O

2

readily available

(i) G.O. Ms. No. 594 Rev dy. 3/5

(ii) G.O. Ms. No. 3093 Dev dy. 8.

(iii) Board's Cr. 23532 ABK/49

XA2 dy 11-10-49 and

25-1-50 (with all available

enclosures).

X

AK

4/4.

27

BOARD OF REVENUE(EXCISE) DEPARTMENT

Sub:-Prohibition-Sandur State-Merged with Bellary District-Compensation to ex-distiller-report-

Read:-D.O.No.123461 S/51-4,dated 29-3-52 from Development Department.

C.R.No. 44278-Abk/52-XA2
Station:Triplicane, Madras-5 Dated: 3-4-1952.

From

Sri V. Krishnamurti, B.A.,
Assistant Secretary, Board of Revenue(Excise)

Sri V.N.Kudva I.C.S.,
Member, Board of Revenue and Commissioner of Commercial Taxes.

****

Post copy of telephone message.

Please furnish the copies of the following references as the concerned file in the Board is not readily available.

1. G.O.MS.No.594,Rev.Deptt.,dated 3-3-50
2. " 3093,Dev. " " 8-8-50
3. Board's C.R.23532-Abk/49-XA2,dated 11-10-49 and 25-1-50(with all available enclosures).

Assistant Secretary.

To the Assistant Secretary to Government,Development Department.

P.T.3/4.

29 Rev (Sk)

Memo No. 123461-S/51-5 dt. 9-4-52

Subject: Prohibition - Sambar - Extension of prohibition from 1-4-50 - Payment of Compensation to ex-dividers —

Ref: From The BS. of Rev (Sa) CR No. 44278 AOK/52 XA2 dt. 8-4-52.

The Copies of the following references are furnished to The BS. of Rev (Sa) as requested in his letter cited.

1. GOMS No. 594 Rev. dt. 3-3-50
2. GOMS No 3093 Rev. dt. 8-8-50
3. BS's CR. 23532 AOK/49 XA2 dt 11-10-49

Encs 25-1-50 (with enclosures)

To The BS of Rev (Sa) (with encls)

8/4/52 dt. 9-4-52.

Rc.No.8717 A/51 S1

Collector's Office, Bellary
Dated: 24.4.52.

31

From

Sri G. Rami Reddi, B.A.,
Collector, Bellary.

To

The Secretary to Government,
Development Department,
Fort St. George, Madras.

Sir,

Sub:- Prohibition--Sandur --extension of prohibition from 1.4.50 --Payment of Rs.695/- to the ex-distiller for the stock of 139 gallons not purchased by the Government --fresh sanction requested.

P7 above Ref: (i) This office Rc.No.8717 A/51 S1 dated 29.12.51.
P18 above (ii) Govt. Dev.Dept. Memo.No.123461 S/51-3 dated 14.2.52.
P19 above (iii) This office reminder Rc.No.8717 A/51 S1 dated 21.3.52.

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I invite attention to the above references and request early orders in the matter.

Pbr.25.4.

For Collector.

Dev(ST)

P22 above To As A reply is awaited from the BS. The BS may be reminded on 28.5.52

30/5/52

D.O. Collector, Bellary 33

Rc.No.3717 A/51 S1: Date: .12.52.

Dear Sir, S1 63643

Sub:— Prohibition --Sand r --Extension of Prohibition from 1.4.50 --Payment of Rs. 695/- to the ex-distiller for the stock of 139 gallons not purchased by the Government fresh sanction requested.

P 1 above Ref. This office Rc.No.3717 A/51 S1 dated 29.12.51 and reminders thereon dated 5.2.52, 21.3.52 and 24.4.52.

P 31 above

I invite attention to the above references and request early orders in the matter.

Yours sincerely,

2/2

To

Sri J.M. Lobo Prabhu, I.C.S.,
Secretary to Government (Dev.Dept.)
Fort St. George, Madras.

***

35

Dev (SI)

D.O. No. 123461 – SI/51-6 dt 12.6.52

Sub: Prohibition – Sanction – Extension of Prohibition from 1-6-52 — Payment of Compensation to ex-distillers.

Ref: My DO. no. 123461-S/51-4 dt 29.3.52
Govt Memo no. 123461-S/51-5 dt 9-4-52

I am to invite your attention to the references cited and to request ~~you to~~ see that the BS's reply regarding Govt without any further delay as the Collr. of Bellary has requested ~~the Govt~~ for an early orders on the matter.

Yours sincerely

12/6

To
Sri. V. Krishnamurthi,
Asstt. Secy.
BS & Rev (Ex)

Copy to
The Collr. of Bellary.

37

OFFICE OF THE BOARD OF REVENUE (EXCISE), MADRAS.

Prohibition - Sandur - Extension of Prohibition from 1-4-50 Payment of compensation to the Ex-distiller, Sandur

P6 Encl
P12 Encl

Read:- 1. Govt. Dev. Deptt. Endt. No. 123461 S/51-1, dated 20-11-51
2. Govt. Dev. Dept. Endt. No. 123461 S/51-2, dated 8-1-52.

-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-

Station: Triplicane, Madras-5.
C.R. No. 44278 Abk. 51-XA.2. Dated 4-7-52

From

Sri V. Krishnamurti, B.A.,
Asst. Secretary, Board of Revenue (Excise).

Sri V.N. Kudva, I.C.S., Member, Board of Revenue and Commissioner of Commercial Taxes.

Reference:

The Board submits that the question of paying Rs.5/- per gallon to the claimant, Srimathi Moola Lakshmamma, will not arise as the liquor was not actually manufactured during the period from 1-4-50 to 18-10-51 She will be entitled only to the probable profit ie. 0-12-0 per gallon being the difference between the production cost of Rs.4-4-0 and the selling price of Rs.5/-. The Government have already paid compensation on this basis. The Board is therefore of opinion that the petitioner is not entitled for anything more than what has been paid.

2. Srimathi Moola Lakshmamma has stated that the alleged payment of compensation of Rs.6968/- through T. Narayanaswamy, the agent of her husband has not been received by her. The Board submits that this payment was made to Sri T. Narayanaswamy on the strength of the authorisation (copy enclosed) given by late M.L. Narayanaswamy who was then alive. It is not therefore for the Government to see whether or not the amount reached the hands of Srimathi Moola Lakshmamma.

139 Encl

p.t.o.

38

PP 6-7 (FAIR)

As regards the renewal of sanction of payment of Rs.695/- accorded in G.O.Ms.No.3093 Development, dated 8-8-50; the Board submits that it has no objection to the sanction being renewed. In this connection, it may be observed that a sum of Rs.7050-14-6 is due from late M.L.Narayanaswamy in respect of Banganapalli distillery (vide G.O.Ms.No.6039 Development, dated 6-12-51) and there is no likelihood of recovering this arrears in the near future as the entire property of the ex-distiller is under attachment for Income Tax arrears. A separate report is being submitted to Government regarding the collections of the arrears. In the meantime, the Board recommends that the sum of Rs.695/- may be covered by the renewal of sanction in question may be adjusted towards the arrears in respect of Banganapalle distillery.

PP 41-42 (F) 57 (2)

Assistant Secretary.

To

The Secretary to Government,
Development Department, Madras. (with one encl.)

B. 5-7.

391

SREE VENKATESWARA SWAMY OIL MILLS,
Ginning, Decorticating and Cotton Pressing Factory,

Proprietor:

M.L.Narayanaswamy

Telegram:

"Refine" Tadpatri.

TADPATRI.

20-5-49.

To

The Special Officer,
State Administration, Sandur.

Sir,

Further to my letter of the 14th inst. I append hereto a specimen signature of Mr.T.Narayanaswamy, my Agent at the Arrack Distillery,Sandur duly attested by me, which please find and effect all payments etc., to him and oblige.

Yours faithfully,

Sd./ M.L.Narayanaswamy,
Distiller,Sandur.

/True Copy/

S.R. Ramalingam
27.1.52
Superintendent

C.F. 32 (a).

REVENUE DEPARTMENT.

In reply, please quote number, date and short title.*

Received ..... *Registered* .....

79116

From (Name) Sri. D.R. Sundaram, I.A.S.,

(Designation) Collector of Bellary

Post Box ....., (Station) .....

Telegraphic Address .....

FIRST ASST. SECRETARY TO GOVERNMENT
14 JUL 1952
DEVELOPMENT DEPARTMENT

To

The Secretary to Government,
Development Department,
Fort St. George, Madras.

Rc. *No.* 8717-A/51 *dated* ~~11-7-1952~~ *193*

Sir,

Sub:- Prohibition - Sandur - Extension of prohibition - from 1-4-50 - Payment of Rs.695/- to the ex-distiller for the stock of 139 gallons not purchased by the Government fresh sanction requested-

ENCLOSURES .....

SPARE COPIES .....

Ref:- Government (Dev. Dept) D.O. No.12346-S1/51 dated 12-6-52 to the Board of Revenue and copy to Collector, Bellary.

I invite attention to the correspondence resting with the Government D.O. cited above and request that orders of the Government in the matter may be communicated to me at an early date.

K.R. 12/7-7-52

For Collector.

43

Development(S.I) Dept.

Sub:- Prohibition - Sandur - Extension of Prohibition from 1-4-50 - Payment of compensation to the Ex-distiller, Sandur - orders passed.

Read:- G.O. Ms. 594, Dev. d. 3-3-50.
G.O. Ms. 3093, Dev., d. 8-8-50.
G.O. Ms. 6039, Dev., d.6-12-51.

From the Collector of Bellary, Rc. No.8717.A 51 S.I. dated 3-11-51 and 29-12-51.
From the Board of Revenue (Excise) C.R.No. 44278 Abk.51 X.A.2. dated 4-7-52.

...

G.O. Ms. No. 3818 dated 4.9.52

The Govt. renew the sanction for the payment of compensation amounting to Rs.695/- (Rupees six hundred and ninety five only) accorded in G.O.Ms. No.3093, Development, dated 8-8-50 and direct that the amount of Rs.695/- should be adjusted against the amount of Rs.7,050-14-6 ordered in G.O.Ms.6039, Development, d.6-12-51, due to the Government from the ex-distiller of Sandur.

2. The Government agree with paragraphs 1 and 2 of the Board's reference cited.

To the Board of Rev.(Excise)
" the A.G. thro' Fin.
" the Collector of Bellary.
(with paras 1 and 2 of Board's reference)

SE.2

Rev (SI)

Cov. 123461-SI/51

Sub: Prohibition — Sandur — Extension of Prohibition from 1-4-50 — Payment of Compensation to the Ex-distiller, Sandur.

P: :- 11 CF

Ref: From the Collector of Bellary, R.C.no 8717-A/51. S.I. dt 3.11.51 and 29.12.51

PP 37 38 CF.

From the BOJ Rev(Ex) CR.NO. 44278 Abk 51. XA2 dated 4.7.52.

Please see the letters from the Collector of Bellary at pp 1-2, 7 CF, and the Bd's reference at pp 37-38 CF.

The Collector of Bellary requests orders on the following claims:

P 1 CF

1. Srimathi Moola Lakshamma wife of Sri. M.L. Narayanaswamy ex-distiller, has put in a petition claiming a compensation of Rs. 46,250 as shown at 'A' on p 1 CF, even though the Govt Sanctioned a sum of Rs 5843/- as compensation to the ex-distiller in this regard.

X pp 66-67 CF ¶ (17)

P 11 CF

2. As the amount of compensation Rs 6951/- sanctioned in G.O. Ms. 3093 Rev. dt 8.8.50 has not been claimed so far consequent on the death of Sri. M.L. Narayanaswamy, the ex-distiller, sanction for the renewal of that amount may be accorded

PP 6-7 CF ¶ (i)

P 37 CF

The BO. has stated that as the payment of compensation of Rs sanctioned in G.O. Ms 594 Rev. 3 3.50 was already paid to Sri. T. Narayanaswamy

1: 1: 6) CF ¶ (ii)

the Agent of the Enthiller on the strength of the latter's authorisation, the Copy is not therefore before the Court to see whether or not the amount reached the hands of Srimathi Roopa Lakshamma.

For orders whether the BS's view may be accepted

✓ P 39 CF

2. The BS states that it has no objection for the renewal of sanction of Rs 695/- to Srimathi Roopa Lakshamma. But the BS observes that a sum of Rs 7050-14 is due from Late M.L. Narayanaswamy in respect of Bangarapalli Distillery (vide Cro MSNO. 6039 Dec 07.6.12.51) and that there is no likely hood of recovering this arrears in the near future as the entire property of the Enthiller is under attachment for Income Tax arrears. In view of the above fact the BS recommends that the sum of Rs 695 covered by the renewal of sanction in question may be adjusted towards the arrears in respect of Bangarapalli Distillery

P 38 CF

P 41 CF & (2) LF

— do —

vide p 11 CF

For orders whether the BS's view may be agreed to and a renewal of sanction of the compensation of Rs 695/- adjusted towards the arrears in respect of

A

Banganapalle Distillery.
Legal and Fin. may see.

Rs
1252 — 31 8/8
21.7.52

Dev. No. 123461-A/51-7
21.7.52

ASSISTANT SECRETARY
11666
2
LEGAL DEPARTMENT

Legal

Fin

Legal dept

There is no legal objection to reviving the financial sanction for the payment of Rs.695 ordered in G O 3093 d/8-8-50 and which had lapsed as having not been 'acted on' within a year and adjusting that amount towards the claim of the Govt.for Rs.7050-14-6 as duty on arrack. The sum of Rs.7050-14-6 which the contractor should have paid to the Banganapalle Govt is legally recoverable by this Govt.as the successor Govt.and consequently the sum of Rs.695 can be set off against that amount.

Civ
8-8-52

J.S.

Finance

Legal D.O. No: 11666/52-1
8.8.52.

Fin (Coord)

The notes from p 1 above may be perused.

2 with regard to the first request in p 1 above, the Board of Rev. has stated that the claim is unmaintainable for the reason stated in para 1 of its reference in p 37 CF. As regards the remaining two items amounting to Rs.6,968, omitted in pay bill No.59/41, dated 3.3.50, by the Pattukottai the Board has stated that the amount was

ADDITIONAL DEPUTY SECRETARY TO GOVERNMENT
9 AUG 1952
59/41
FINANCE DEPARTMENT

(M)/11666-52 CF
Para 2, p 7 CF

paid to the agent of the petitioner's husband on the strength of the authorisation given by the latter and that it is not for the Govt. to see whether or not the amount reached the hands of the petitioner. Finance may agree with the views of the Bd

3 With regard to the second request, Finance may agree to (the renewal of the) sanction accorded in Govt. Nos. 3093, Genl., dated 8.8.50 for payment of the compensation amounting to Rs 695/- and to its being adjusted against the amount (of Rs 7,050-14-6 due to the) Govt. from the petitioner's husband.

20.8.52

28.8.52

28/8/52

25882

Dev(SI)

Dues' facts.

22-8-52

96840

Fin no. 5914 ESB-I

25-8-52

(with L.F.)

Please see the notes from p 1 above. Legal and Fin. Depts have agreed to the Dept's proposal at 'A' cup 2 above. A draft order is submitted below for approval.

28852

2.9.52